

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PROQUEST LLC,

Plaintiff/  
Counter-Defendant,

v.

Civil Case No. 19-10043  
Honorable Linda V. Parker

E-TECHNOLOGIES SOLUTIONS CORP.,

Defendant/  
Counter-Plaintiff.

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**OPINION AND ORDER GRANTING IN PART AND DENYING IN PART  
DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR STAY OF  
BRIEFING OR, ALTERNATIVELY, FOR THIRTY (30) DAY  
ENLARGEMENT OF TIME TO FILE OPPOSITION TO MOTION FOR  
DISMISSAL OF COUNTERCLAIM (ECF NO. 43)**

The docket in this matter is lengthy even though the matter has been pending for less than six months. It is presently before the Court on Defendant/Counter-Plaintiff E-Technologies Solutions Corporation's ("E-Tech") motion to stay the briefing with respect to the motion to dismiss filed by Plaintiff/Counter-Defendant ProQuest LLC ("ProQuest") on September 4, 2019. Alternatively, E-Tech asks the Court for an additional thirty days to respond to ProQuest's motion. As E-Tech's response to the motion to dismiss was due approximately a week after it filed its motion to stay, and because this is not the only matter on the Court's docket requiring its immediate attention, the Court temporarily stayed the briefing on

ProQuest's motion to dismiss until E-Tech's motion was fully briefed and the Court could resolve it.

Having now reviewed the parties' briefs in support of and in opposition to the motion, the Court is granting in part and denying in part E-Tech's request. The Court sees no reason to stay the briefing on ProQuest's motion to dismiss until after discovery is completed. While ProQuest may have been too eager to file summary judgment motions at the start of this case, those motions were withdrawn by ProQuest or stricken by the Court. ProQuest's motion to dismiss seems to be an appropriate filing at this juncture.<sup>1</sup>

The Court, however, is granting E-Tech more time to file its opposition to ProQuest's motion to dismiss. As E-Tech had only one week remaining to file its response brief when it filed its motion to stay, and as it has taken the Court several weeks to address the motion—thereby giving E-Tech additional reprieve—the Court is granting E-Tech only seven (7) days from this Opinion and Order to file its response to ProQuest's motion to dismiss.

Accordingly,

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<sup>1</sup> If, however, the Court finds upon a more in-depth review that the motion is again dependent on matters outside the pleading and for which discovery is needed by E-Tech to appropriately respond, it may consider awarding E-Tech the fees and costs it incurred to answer the motion.

**IT IS ORDERED** that Defendant/Counter-Plaintiff's Motion for Stay of Briefing or, Alternatively, for Thirty (30) Day Enlargement of Time to File Opposition to Motion for Dismissal of Counterclaim (ECF No. 43) is **GRANTED IN PART AND DENIED IN PART** in that the request for a stay is denied, but Defendant/Counter-Plaintiff is granted seven (7) days from this Opinion and Order to respond to the motion to dismiss.

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: October 22, 2019